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15 Attorneys for Defendants  
16 AMERICAN MEDICAL RESPONSE, INC.,  
17 AMERICAN MEDICAL RESPONSE WEST,  
18 AMERICAN MEDICAL RESPONSE  
19 AMBULANCE SERVICE, INC., AMERICAN  
20 MEDICAL RESPONSE OF INLAND EMPIRE,  
21 AMERICAN MEDICAL RESPONSE OF  
22 SOUTHERN CALIFORNIA

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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

LAURA BARTONI, on behalf of herself,  
and on behalf of all others similarly situated,

Plaintiff,

v.

AMERICAN MEDICAL RESPONSE, INC.,  
AMERICAN MEDICAL RESPONSE WEST,  
AMERICAN MEDICAL RESPONSE  
AMBULANCE SERVICE, INC., AMERICAN  
MEDICAL RESPONSE OF INLAND  
EMPIRE, AMERICAN MEDICAL  
RESPONSE OF SOUTHERN CALIFORNIA,  
and DOES 1 through 50 inclusive,

Defendants.

CASE NO. C-08-03978 MHP

**CLASS ACTION**

**STIPULATION AND  
PROPOSED ORDER  
ALTERING BRIEFING  
SCHEDULE ON PLAINTIFF'S  
MOTION FOR LEAVE TO  
AMEND COMPLAINT**

Honorable Marilyn Hall Patel

WHEREAS, Plaintiff filed a motion to remand the instant action, which was  
initially scheduled to be heard on March 30, 2009;

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1 WHEREAS, the Court has continued the hearing on Plaintiff's motion to  
2 remand until April 27, 2009;

3 WHEREAS, Plaintiff has also filed a motion for leave to amend the  
4 Complaint, which is scheduled to be heard on May 11, 2009;

5 WHEREAS, the Court's ruling on Plaintiff's motion for remand would moot  
6 Plaintiff's motion for leave to amend the Complaint if the Court should remand  
7 this action;

8 WHEREAS, Defendants' opposition to Plaintiff's motion for leave to amend  
9 the Complaint is due on April 20, 2009, a week before the Court is to hear  
10 Plaintiff's motion for remand;

11 WHEREAS, Plaintiff's reply to the opposition to the motion for remand is  
12 due on April 27, 2009, the same day as the hearing on Plaintiff's motion for  
13 remand; and

14 WHEREAS, the parties agree that it would be in their best interests, and in  
15 the best interests of judicial economy, for the Court to rule on Plaintiff's motion for  
16 remand before the parties do any further briefing on Plaintiff's motion for leave to  
17 amend the Complaint, which may be mooted;

18 WHEREFORE, the parties stipulate as follows:

19 1. The deadline for Defendants to file their opposition to the motion for  
20 leave to amend the Complaint shall be extended to April 30, 2009;

21 2. The deadline for Plaintiff to file a reply to the opposition to the  
22 motion to amend the Complaint shall be extended to May 7, 2009; and

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3. The parties shall address any need to revise this briefing schedule further at the time of the April 27, 2009 hearing on Plaintiff's motion to remand.

DATED: April 7, 2009

EPSTEIN BECKER & GREEN, P.C.

By: 

Michael S. Kun

Joseph D. Miller

Attorneys for Defendants AMERICAN MEDICAL  
RESPONSE, INC., AMERICAN MEDICAL  
RESPONSE WEST, AMERICAN MEDICAL  
RESPONSE AMBULANCE SERVICE, INC.,  
AMERICAN MEDICAL RESPONSE OF INLAND  
EMPIRE, AMERICAN MEDICAL RESPONSE OF  
SOUTHERN CALIFORNIA

DATED: April 7, 2009

SCHUBERT JONCKHEER KOLBE &  
KRALOWEC

By: 

Robert C. Schubert

Miranda Kolbe

Kimberly Ann Kralowec

Todd M. Schneider, Esq.  
Clint J. Brayton, Esq.  
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Jannah V. Manansala, Esq.  
WEINBERG, ROGER & ROSENFELD  
1001 Marina Village Parkway, # 200  
Alameda, California 94501-1091

Attorneys for Plaintiff and the Proposed Class

**ORDER**

Having read the parties' Stipulation, this Court orders:

1. The deadline for Defendants to file their opposition to Plaintiff's motion for leave to amend the Complaint is extended until April 30, 2009;
2. The deadline for Plaintiff to file her reply to opposition to the motion for leave to amend the Complaint shall be extended until May 7, 2009; and
3. The parties shall be prepared to discuss any further revisions to the briefing schedule on Plaintiff's motion for leave to amend the Complaint at the April 27, 2009 hearing on Plaintiff's motion for remand.

DATED: 4/8/2009

THE HONORABLE JUDGE  
UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA



**PROOF OF SERVICE**

STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

1. At the time of service I was at least 18 years of age and **not a party to this legal action.**

2. My business address is 1925 Century Park East, Suite 500, Los Angeles, California 90067.

3. I served copies of the following documents (specify the exact title of each document served):

**STIPULATION AND PROPOSED ORDER ALTERING BRIEFING SCHEDULE ON PLAINTIFF'S MOTION FOR LEAVE TO AMEND COMPLAINT**

4. I served the documents listed above in item 3 on the following persons at the addresses listed:

Todd M. Schneider, Esq. Attorneys for Plaintiff and  
Clint J. Brayton, Esq. the proposed class  
Andrew P. Lee, Esq.  
SCHNEIDER WALLACE  
COTTRELL BRAYTON  
KONECKY LLP  
180 Montgomery Street, Suite 2000  
San Francisco, California 94104  
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Aaron D. Kaufmann, Esq. Attorneys for Plaintiff and  
David P. Pogrel, Esq. the proposed class  
HINTON ALFERT & SUMNER  
1646 N. California Boulevard, #600  
Walnut Creek, CA 94596-4113  
Telephone: 925-932-6006  
Facsimile: 925-932-3412

Robert C. Schubert, Esq. Attorneys for Plaintiff and  
Miranda Kolbe, Esq. the proposed class  
Kimberly Ann Kralowec, Esq.  
SCHUBERT JONCKHEER KOLBE  
& KRALOWEC  
Three Embarcadero Center, Suite  
1650  
San Francisco, California 94111

Theodore Franklin, Esq. Attorneys for Plaintiff and  
Jannah V. Manansala, Esq. the proposed class  
WEINBERG, ROGER &  
ROSENFELD  
1001 Marina Village Parkway, # 200  
Alameda, California 94501-1091

- 1 5. a. ☐ **By personal service.** I personally delivered the documents on the  
2 date shown below to the persons at the addresses listed above in  
3 item 4. (1) For a party represented by an attorney, delivery was  
4 made to the attorney or at the attorney's office by leaving the  
5 documents in an envelope or package clearly labeled to identify the  
6 attorney being served with a receptionist or an individual in charge  
7 of the office. (2) For a party delivery was made to the party or by  
8 leaving the documents at the party's residence between the hours of  
9 eight in the morning and six in the evening with some person not  
10 less than 18 years of age.
- 11 b. ☒ **By United States mail.** I enclosed the documents in a sealed  
12 envelope or package addressed to the persons at the addresses in  
13 item 4 and (*specify one*):
- 14 (1) ☐ deposited the sealed envelope with the United States  
15 Postal Service, with the postage fully prepaid on the date  
16 shown below, or
- 17 (2) ☒ placed the envelope for collection and mailing on the date  
18 shown below, following our ordinary business practices.  
19 I am readily familiar with this business's practice for  
20 collecting and processing correspondence for mailing.  
21 On the same day that correspondence is placed for  
22 collection and mailing, it is deposited in the ordinary course  
23 of business with the United States Postal Service, in a  
24 sealed envelope with postage fully prepaid.
- 25 I am a resident or employed in the county where the mailing  
26 occurred. The envelope or package was placed in the mail at San  
27 Francisco, California.
- 28 c. ☐ **By overnight delivery.** I enclosed the documents on the date  
shown below in an envelope or package provided by an overnight  
delivery carrier and addressed to the person at the addresses in item 4.  
I placed the envelope or package for collection and overnight delivery  
at an office or a regularly utilized drop box of the overnight delivery  
carrier.
- d. ☐ **By messenger service.** I served the documents on the date shown  
below by placing them in an envelope or package addressed to the  
person on the addresses listed in item 4 and providing them to a  
professional messenger service for service. (A declaration by the  
messenger must accompany this proof of service or be contained in  
the Declaration of Messenger below.)
- e. ☐ **By fax transmission.** Based on an agreement of the parties to  
accept service by fax transmission, I faxed the documents on the  
date shown below to the fax numbers of the persons listed in item 4.  
No error was reported by the fax machine that I used. A copy of the  
fax transmission, which I printed out, is attached.



1 f. ☐ **By e-mail or electronic transmission.** Based on an agreement of  
 2 the parties to accept service by e-mail or electronic transmission, I  
 3 caused the documents to be sent on the date shown below to the e-  
 4 mail addresses of the persons listed in item 4. I did not receive within  
 a reasonable time after the transmission any electronic message or  
 other indication that the transmission was unsuccessful.

5 6. I served the documents by the means described in item 5 on *(date)*:  
 6 April 7, 2009

7 I declare under penalty of perjury under the laws of the State of California that  
 8 the foregoing is true and correct.

4/7/09

Donna M. Bourgeois



DATE

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

### 9 DECLARATION OF MESSENGER

10 ☐ **By personal service.** I personally delivered the envelope or package  
 11 received from the declarant above to the persons at the addresses listed in  
 12 item 4. I delivered the documents on the date shown below to the persons at  
 13 the addresses listed in item 4. (1) For a party represented by an attorney,  
 14 delivery was made to the attorney or at the attorney's office by leaving the  
 15 documents in an envelope or package, which was clearly labeled to identify the  
 attorney being served, with a receptionist or an individual in charge of the  
 office. (2) For a party, delivery was made to the party or by leaving the  
 documents at the party's residence between the hours of eight in the morning  
 and six in the evening with some person not less than 18 years of age.

16 At the time of service, I was at least 18 years of age. I am not a party to the  
 17 above referenced legal proceeding.

I served the envelope or package, as stated above, on *(date)*:

18 I declare under penalty of perjury under the laws of the State of California that  
 19 the foregoing is true and correct.

DATE

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)